

Chamber Copy

Karen Michele Rozier
7957 Dahlia Circle
Buena Park, CA 90620
(410) 458-3772
Without Assistance of Counsel

UNITED STATES BANKRUPTCY COURT

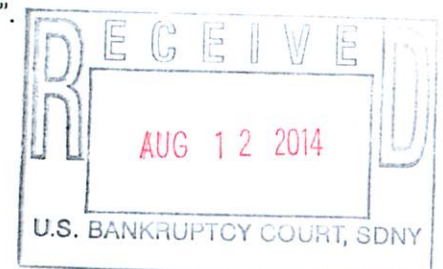
SOUTHERN DISTRICT OF NEW YORK

In re RESIDENTIAL CAPITAL, LLC et. al,
Debtors.

) Judge Hon. Martin Glenn, Presiding
)
) Case No. 12-12020 (MG)
)
) Chapter 11
)
) DECLARATION OF Karen Michele Rozier IN
) SUPPORT OF CLAIMANT'S OPPOSITION TO
) DEBTOR LIQUIDATING TRUST'S MOTION TO
) EXTEND THE DATE BY WHICH OBJECTIONS TO
) CLAIMS MUST BE FILED [Doc 7306]; REQUEST
) FOR PAYMENT OF CLAIMS AND SANCTIONS OF
) \$750 [Doc 7363]
)
) Hearing Date: August 26, 2014
) Time: 10:00 AM
)

I, Karen Michele Rozier, do hereby declare, swear, or affirm:

1. I am Karen Michele Rozier, the Claimant in this matter. I am over the age of 18. I have personal knowledge of the facts herein and if called as a witness will testify competently thereto.
2. On Friday July 25, 2014 I was reviewing the www.kccclcc.net/rescap website to see if there were any recent developments of which I should be aware. During this review, I came across Docket item 7306 **Notice of Presentment of Motion to Extend the Date by Which Objections to Claims Must be Filed**, herein referred to as "Notice".



3. On Monday, July 28, 2014 at 9:16 AM PDT, I contacted Kramer Levin Naftallis & Frankel LLP about the Notice. No attorney was available to speak with me. I left a message.
4. Also on Monday, I began contacting other claimants to notify them of the Liquidating Trust's motion. I spoke with or left messages with thirteen (13) Claimants. None of the claimants I spoke with were aware of the Liquidating Trust's request. At least four (4) have filed opposition motions. [7332, 7355, 7374 and 7375]
5. On Friday August 1, 2014 I had electronically served to all parties a copy of my opposition motion entitled **Claimant's Opposition to Debtor Liquidating Trust's Motion to Extend the Date by which Objections to Claims Must be Filed [Doc 7306]; Request for Payment of Claims and Sanctions of \$750**, herein referred to as "Opposition Motion". [See **EXHIBIT 1: Proof of Electronic Service**] That Opposition Motion was filed with the court on Monday August 4, 2014 as Docket item 7363.
6. On Monday August 4, 2014 after close of business, I received a copy of the Notice. The Notice did not include any Proof of Service and the envelope is not date-stamped. However, the Proof of Service [Docket item 7362, page 2 of 35] shows that it was mailed on August 1, 2014, a full week after it was filed. All opposition was due by the following Monday August 4, 2014.
7. I also was not electronically served with the Notice. I have previously been electronically served by Clarissa D. Cu in this case.
8. On Wednesday August 6, 2014 at 9:57 AM PDT I spoke with Mr. Joe Shiffer of Kramer Levin Naftallis & Frankel LLP. During this conversation, he expressed an opinion that all parties were timely served or else we would not have filed an opposition. He is mistaken. I mailed and had my Opposition Motion electronically served prior to receiving anything from the Debtor Liquidating Trust. At least four of the people with whom I spoke do not have regular access to internet. I imagine that a large percentage of Claimants lost their homes and that these Claimants also do not have regular access to internet. I imagine that several would not

be able to navigate the website even if they did have access to the internet. Regular and timely mail service is the least that the Debtor should do.

9. On Thursday August 6, 2014 I spoke with a gentleman from Virginia. He indicated that he had a similar conversation with Mr. Shiffer. I am concerned that the court is being misled that any Claimant that filed an opposition was timely served with the Notice.
10. During this process I have also spoken with Claimants who didn't understand *the Omnibus* Objection process. They didn't understand that they were supposed to *scour the list* they received, find their name, and then respond. They didn't understand that by not filing an objection, their claims were dismissed. I suggested that they speak with an attorney. During my recent review of the docket, I noticed that at least one sent a letter to the court asking for a review. [Docket item 7364] Another opposed the objections to his claim. [Docket item 7351 and 7352] I suggest that the Debtor's high acceptance rate [97% see Docket item 7036 **Notice of ResCap Borrower Claims Trust's Motion for Order Estimating Claims and Establishing Disputed Claims Reserve**, page 16 of 18, paragraph 17] could be due to a combination of late service and confusion about the process. Debtors' agents also did not timely serve me with that motion as I complained in my opposition and declaration. [Docket 7180 **CLAIMANT'S OPPOSITION TO BORROWER CLAIMS TRUST'S MOTION FOR ORDER ESTIMATING CLAIMS AND ESTABLISHING DISPUTED CLAIMS RESERVES [Doc 7036]**, page 3 of 5] Debtor's agents' actions were so egregious in this request for an extension of time that I recommend that the court consider this may be habit.
11. I stand by my Opposition Motion [Docket item 7363] including my request for payment.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 7, 2014

Executed in Buena Park, California


Karen Michele Rozier

This is an urgent message.

Date: Friday, August 1, 2014 11:11 AM

From: rozier.david@roadrunner.com

To: LNASHELKSY@MOFO.COM, GLEE@MOFO.COM, LMARINUZZI@MOFO.COM,
TRACY.DAVIS2@USDOJ.GOV, LINDARIFFKIN@USDOJ.GOV, BRIAN.MASUMOTO@USDOJ.GOV,
KECKSSTEIN@KRAMERLEVIN.COM, TMAYER|@KRAMERLEVIN.COM, DMANNAL@KRAMERLEVIN.COM

Cc: JSHIFER@KRAMERLEVIN.COM, rozier.karen@roadrunner.com

Subject: Notice of Service -- Opposition to Motion for Request for Time

Please see attached opposition motion which was mailed very Express Mail to the
US Bankruptcy Court, with a copy being sent directly to Judge's chambers.

David E. Rozier
(715) 512-5740


 Oppose_Time.PDF

Exhibit (1)

PROOF OF SERVICE

Case 12-12020 (MG) In re Residential Capital, LLC

I am a resident of the State of California. I am over the age of 18 and not a party to the within action. My business address is 7957 Dahlia Circle, Buena Park, CA 90620. *I served the following document:*

- DECLARATION OF Karen Michele Rozier IN SUPPORT OF CLAIMANT'S OPPOSITION TO DEBTOR LIQUIDATING TRUST'S MOTION TO EXTEND THE DATE BY WHICH OBJECTIONS TO CLAIMS MUST BE FILED [Doc 7306]; REQUEST FOR PAYMENT OF CLAIMS AND SANCTIONS OF \$750 [Doc 7363]

On all interest parties in this action by regular First Class mail addressed as follows:

Counsel to the Debtors

Larren M. Nashelsky
Gary S. Lee
Lorenzo Marinuzzi
MORRISON & FOERSTER LLP
1290 Avenue of the Americas
New York, NY 10104

Office of the United States Trustee

Tracy Hope Davis
Office of the United State Trustee
201 Varick Street, Suite 1006
New York, NY 10004

Counsel to the Official Committee of
Unsecured Creditors

Kenneth H. Eckstein
Douglas H. Mannal
Joseph Shifer
Kramer Levin Naftallis & Frankel LLP
1177 Avenue of the Americas
New York, NY 10036

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 8, 2014


David E. Rozier, Sr